

FORM PTO-1390 (Modified)
(REV 11-98)

U.S. DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE

ATTORNEY'S DOCKET NUMBER

TRANSMITTAL LETTER TO THE UNITED STATES
DESIGNATED/ELECTED OFFICE (DO/EO/US)
CONCERNING A FILING UNDER 35 U.S.C. 371

3821

U.S. APPLICATION NO. (IF KNOWN, SEE 37 CFR

09/807950

INTERNATIONAL APPLICATION NO.

PCT/DE 00/03809

INTERNATIONAL FILING DATE

October 28, 2000

PRIORITY DATE CLAIMED

July 17, 2000

TITLE OF INVENTION

System for Minimising or Compensating PMD-induced Distortions in Optical Transmission Systems and Transmission
Fibres in particular

APPLICANT(S) FOR DO/EO/US

Adalbert BANDEMER, Egbert KRAUSE

Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:

1. ☒ This is a **FIRST** submission of items concerning a filing under 35 U.S.C. 371.
2. ☐ This is a **SECOND** or **SUBSEQUENT** submission of items concerning a filing under 35 U.S.C. 371.
3. ☐ This is an express request to begin national examination procedures (35 U.S.C. 371(f)) at any time rather than delay examination until the expiration of the applicable time limit set in 35 U.S.C. 371(b) and PCT Articles 22 and 39(1).
4. ☒ A proper Demand for International Preliminary Examination was made by the 19th month from the earliest claimed priority date.
5. ☒ A copy of the International Application as filed (35 U.S.C. 371 (c) (2))
 - a. ☒ is transmitted herewith (required only if not transmitted by the International Bureau).
 - b. ☐ has been transmitted by the International Bureau.
 - c. ☐ is not required, as the application was filed in the United States Receiving Office (RO/US).
6. ☒ A translation of the International Application into English (35 U.S.C. 371(c)(2)).
7. ☐ A copy of the International Search Report (PCT/ISA/210).
8. ☐ Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371 (c)(3))
 - a. ☐ are transmitted herewith (required only if not transmitted by the International Bureau).
 - b. ☐ have been transmitted by the International Bureau.
 - c. ☐ have not been made; however, the time limit for making such amendments has NOT expired.
 - d. ☐ have not been made and will not be made.
9. ☐ A translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371(c)(3)).
10. ☐ An oath or declaration of the inventor(s) (35 U.S.C. 371 (c)(4)).
11. ☐ A copy of the International Preliminary Examination Report (PCT/IPEA/409).
12. ☐ A translation of the annexes to the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371 (c)(5)).

Items 13 to 20 below concern document(s) or information included:

13. ☐ An Information Disclosure Statement under 37 CFR 1.97 and 1.98.
14. ☐ An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included.
15. ☒ A **FIRST** preliminary amendment.
16. ☐ A **SECOND** or **SUBSEQUENT** preliminary amendment.
17. ☐ A substitute specification.
18. ☐ A change of power of attorney and/or address letter.
19. ☐ Certificate of Mailing by Express Mail
20. ☒ Other items or information:

Small Entity Assertion

Declaration (with respect to translation)

Express Mail No.: EL354325140US

09807950-040402

U.S. APPLICATION NO. (IF KNOWN, SEE 37 CFR 1.53) 09/807950	INTERNATIONAL APPLICATION NO. PCT/DE 00/03809	ATTORNEY'S DOCKET NUMBER 3821.01
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21. The following fees are submitted:.

BASIC NATIONAL FEE (37 CFR 1.492 (a) (1) - (5)) :

- ☒ Neither international preliminary examination fee (37 CFR 1.482) nor international search fee (37 CFR 1.445(a)(2)) paid to USPTO and International Search Report not prepared by the EPO or JPO **\$970.00**
- ☐ International preliminary examination fee (37 CFR 1.482) not paid to USPTO but International Search Report prepared by the EPO or JPO **\$840.00**
- ☐ International preliminary examination fee (37 CFR 1.482) not paid to USPTO but international search fee (37 CFR 1.445(a)(2)) paid to USPTO **\$690.00**
- ☐ International preliminary examination fee paid to USPTO (37 CFR 1.482) but all claims did not satisfy provisions of PCT Article 33(1)-(4) **\$670.00**
- ☐ International preliminary examination fee paid to USPTO (37 CFR 1.482) and all claims satisfied provisions of PCT Article 33(1)-(4) **\$96.00**

ENTER APPROPRIATE BASIC FEE AMOUNT =**\$970.00**

Surcharge of **\$130.00** for furnishing the oath or declaration later than ☐ 20 ☐ 30 months from the earliest claimed priority date (37 CFR 1.492 (e)).

\$0.00

CLAIMS	NUMBER FILED	NUMBER EXTRA	RATE	
Total claims	57 - 20 =	37	x \$18.00	\$666.00
Independent claims	4 - 3 =	1	x \$80.00	\$80.00
Multiple Dependent Claims (check if applicable).			<input checked="" type="checkbox"/>	\$135.00

TOTAL OF ABOVE CALCULATIONS =**\$1,851.00**

Reduction of 1/2 for filing by small entity, if applicable. Verified Small Entity Statement must also be filed (Note 37 CFR 1.9, 1.27, 1.28) (check if applicable).

☒**\$925.50****SUBTOTAL =****\$925.50**

Processing fee of **\$130.00** for furnishing the English translation later than ☐ 20 ☐ 30 months from the earliest claimed priority date (37 CFR 1.492 (f)).

+

\$0.00**TOTAL NATIONAL FEE =****\$925.50**

Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31) (check if applicable).

☐**\$0.00****TOTAL FEES ENCLOSED =****\$925.50**

Amount to be: refunded	\$
charged	\$

- ☒ A check in the amount of **\$925.50** to cover the above fees is enclosed.
- ☐ Please charge my Deposit Account No. _____ in the amount of _____ to cover the above fees.
A duplicate copy of this sheet is enclosed.
- ☒ The Commissioner is hereby authorized to charge any fees which may be required, or credit any overpayment to Deposit Account No. **50-0636** A duplicate copy of this sheet is enclosed.

NOTE: Where an appropriate time limit under 37 CFR 1.494 or 1.495 has not been met, a petition to revive (37 CFR 1.137(a) or (b)) must be filed and granted to restore the application to pending status.

SEND ALL CORRESPONDENCE TO:

Charles S. Guenzer, Reg. No. 30,640
650-566-8040
Customer No: 22337
Mailing Address:
2211 Park Boulevard
P.O. Box 60729
Palo Alto, CA 94306

**22337**

PATENT TRADEMARK OFFICE

Charles S. Guenzer
SIGNATURE

Charles S. Guenzer

NAME

30,640

REGISTRATION NUMBER

DATE

20 April 2001

028908120

153 874 05 01/07/1987 153

Docket: 3821.01

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: Adalbert BANDEMER et al. **Attorneys Docket:** 3821.01

PCT Application: PCT/DE 00/03809

US Serial No.: unknown

Art Unit No.: unknown

Filed: herewith

Examiner: unknown

For: "SYSTEM FOR MINIMISING OR COMPENSATING PMD-INDUCED
DISTORTIONS IN OPTICAL TRANSMISSION SYSTEMS AND TRANSMISSION
FIBRES IN PARTICULAR"

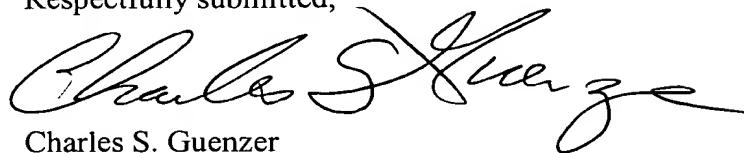
Commissioner of Patents and Trademarks
Washington, DC 20231

**ASSERTION OF SMALL ENTITY STATUS
UNDER 37 CFR §1.27(c)(1)**

Sir:

The undersigned attorney of record asserts under 37 CFR §1.27(c)(1) that Applicants
are entitled to small entity status.

Respectfully submitted,



Charles S. Guenzer
Registration No. 30,640
(650) 566-8040

Date: 20 April 2001

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09807950-040402

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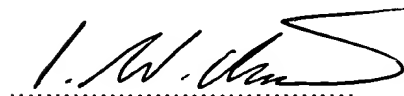
09807950 040402

DECLARATION

I, Dr. Wilhelm München, Patent Attorney, Wilhelm-Mayr-Str. 11, 80689 Munich, GER-MANY, do hereby declare that I am conversant with the English and German languages and I am a competent translator thereof. I declare further that to the best of my knowledge and believe the following is a true and correct translation made by me of the document in the German language attached hereto.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Signed, December 22, 2000



Dr. Wilhelm München